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Assistant Commissioner for Patents,  
Washington, D.C. 20231

on 5 September 2001  
TOWNSEND and TOWNSEND and CREW LLP

By Nancy Pizzo  
NANCY A. PIZZO

**PATENT**

Attorney Docket No.: 020534-000500

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

FORMAN, MICHAEL R.

Application No.: 09/851,372

Filed: May 7, 2001

For: COMBINATION IONIZING  
RADIATION & RADIOSENSITIZER  
DELIVERY DEVICES AND  
METHODS FOR INHIBITING  
HYPERPLASIA

Examiner: Unassigned

Art Unit: 3763

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR  
§§1.97 and 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

FORMAN, MICHA R.  
Application No.: 09/851,372

PATENT

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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Reg. No. 47,400

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PA 3181968 v1

FORM PTO-1449 (Modified)			Attorney Docket No.: 020534-000500US		Application No.: 09/851,372	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)			Applicant: FORMAN, MICHAEL R.			
			Filing Date: May 7, 2001		Group: 3763	
Reference Designation			U.S. PATENT DOCUMENTS			Page 1
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)
AA	RE 34,421	10/1993	PARKER ET AL.			
AB	3,976,071	08/1976	SADEK			
AC	4,636,195	01/1987	WOLINSKY			
AD	4,832,686	05/1989	ANDERSON			
AE	4,883,666	11/1989	SABEL ET AL.			
AF	4,897,268	01/1990	TICE ET AL.			
AG	5,059,166	10/1991	FISCHELL ET AL.			
AH	5,090,043	02/1992	PARKER ET AL.			
AI	5,061,267	10/1991	ZEIHER			
AJ	5,163,952	11/1992	FROIX			
AK	5,199,939	04/1993	DAKE ET AL.			
AL	5,213,561	05/1993	WEINSTEIN ET AL.			
AM	5,256,141	10/1993	GENCHEFF ET AL.			
AN	5,286,254	02/1994	SHAPLAND ET AL.			
AO	5,302,168	04/1994	HESS			
AP	5,342,348	08/1994	KAPLAN			
AQ	5,354,257	10/1994	ROUBIN ET AL.			
AR	5,411,466	05/1995	HESS			
AS	5,411,550	05/1995	HERWECK ET AL.			
AT	5,419,760	05/1995	NARCISO, JR.			
AU	5,464,450	11/1995	BUSCEMI ET AL.			
AV	5,484,384	01/1996	FEARNOT			
AW	5,484,584	01/1996	WALLACE ET AL.			
AX	5,498,227	03/1996	MAWAD			
AY	5,503,613	04/1996	WEINBERGER			
AZ	5,505,613	04/1996	KRUMMENACHER			
BA	5,540,659	07/1996	TEIRSTEIN			
BB	5,543,158	08/1996	GRAF ET AL.			
BC	5,545,208	08/1996	WOLFF ET AL.			
BD	5,500,013	03/1996	BUSCEMI ET AL.			
BE	5,551,954	09/1996	BUSCEMI ET AL.			
BF	5,591,227	01/1997	DINH ET AL.			
BG	5,609,629	03/1997	FEARNOT ET AL.			
BH	5,616,114	04/1997	THORNTON ET AL.			
BI	5,618,266	04/1997	LIPRIE			
BJ	5,624,372	04/1997	LIPRIE			



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<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)</b>			<b>Applicant: FORMAN, MICHAEL R.</b>			
			<b>Filing Date: May 7, 2001</b>		<b>Group: 3763</b>	
CT	WO 97/07740	03/1997	PCT			
CU	WO 96/23543	08/1996	PCT			
CV	WO 98/36790	08/1998	PCT			
CW	WO 99/51299	10/1999	PCT			
CX	WO 99/55285	11/1999	PCT			
CY	WO 00/00238	01/2000	PCT			
CZ	WO 00/47197	08/2000	PCT			
DA	WO 00/70645	11/2000	PCT			
DB	EP 593136	03/1997	Europe			
DC	EP 633041	09/1999	Europe			
DD	EP 688580	06/1994	Europe			
DE	EP 860180	08/1998	Europe			
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
DF	Choy, "Taxanes in combined-modality therapy for solid tumors" <i>Oncology</i> (1999) 13(10 Suppl. 5):23-38 (abstract) [retrieved on 04/05/00]. Retrieved from :PMID: 10550824 UI: 20018487.					
DG	De Palo et al., "Concurrent radiotherapy and taxol as radiosensitizer in locally advanced or recurrent carcinoma of the uterine cervix. A pilot study" [online abstract], [retrieved on 04/13/00]. Retrieved from Internet. <URL: <a href="http://208.240.92.166/prof/me/html/98abstracts/gync/m_1404.htm">http://208.240.92.166/prof/me/html/98abstracts/gync/m_1404.htm</a> > 1 page total.					
DH	Enzinger et al., "Phase I/II neoadjuvant concurrent 96 hour taxol, cisplatin, and radiation therapy: Promising toxicity profile and response in localized esophageal cancer" [online abstract], [retrieved on 03/19/00]. Retrieved from Internet. <URL: <a href="http://www.asco.org/prof/me/html/99abstracts/gic/m_1038.htm">http://www.asco.org/prof/me/html/99abstracts/gic/m_1038.htm</a> > 1 page total.					
EA	Kessler et al., "Effects of human interferons and 60 cobalt radiation on canine and feline tumour cells-preclinical studies" [online], [retrieved on 05/18/00]. Retrieved from Internet. <URL: <a href="http://130.14.32.42/cgi-bin/VERSION_A/IGM-cient?15504+records+161">http://130.14.32.42/cgi-bin/VERSION_A/IGM-cient?15504+records+161</a> > Source: <i>Zentralbl. Veterinarmed. A.</i> (1996) 43(10):599-609. 1 page total.					
EB	Lederman, "Combining chemotherapy and radiation" [online], [retrieved on 04/05/00]. Retrieved from Internet. <URL: <a href="http://www.siu.edu/radoncology/charticle3.html">http://www.siu.edu/radoncology/charticle3.html</a> > 2 pages total.					
EC	Wright, "Molecular radiosensitizers target proliferation and apoptosis pathways in tumour cells" <i>Oncolog</i> (2000) 45(11):4 pages total.					
ED	Schmidberger et al., "The combined effect of interferon beta and radiation on five human tumor cell lines and embryonal lung fibroblasts" [online abstract], [retrieved on 05/18/00]. Retrieved from Internet. <URL: <a href="http://130.14.32.42/cgi-bin/VERSION_A/IGM-cient?15504+records+61">http://130.14.32.42/cgi-bin/VERSION_A/IGM-cient?15504+records+61</a> > Source: <i>Int. J. Radiat. Oncol. Biol. Phys.</i> (1999) 43(2):405-412. 1 page total.					
EE	SCVIR Meeting, San Francisco, CA, March 02, 1998, "Taxol may help prevent blood vessels from re-clogging" [online], [retrieved on 03/19/00]. Retrieved from Internet. <URL: <a href="http://plsgroup.com/dg/5e37a.htm">plsgroup.com/dg/5e37a.htm</a> > 3 pages total.					
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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